

REMARKS

Claims 1-13 remain pending in the application, are under consideration by the Examiner, and have been rejected in the Office Action on various grounds.

These rejections are respectfully traversed and are believed obviated in view of the following remarks and the Declaration under 37 C.F.R. § 1.131 of Billy W. Hensley dated November 22, 2004 (hereinafter "the Hensley Declaration I") and the accompanying Declaration under 35 U.S.C. § 1.131 of Billy W. Hensley (hereinafter "the Hensley Declaration II"). Accordingly, reconsideration and withdrawal of these rejections are earnestly solicited.

Claims 1 and 3-13 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,692,436 to Bluth et al. (hereinafter "Bluth"). Applicant respectfully traverses this rejection.

The cited document is not available as prior art under 102(e) because the presently claimed invention as set forth in claims 1 and 3-13 was conceived and reduced to practice prior to the April 14, 2000 filing date of Bluth.

With regard to independent claim 1, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code capable of carrying out the following steps:

Claim 1	Module	File(s)
<i>providing user information for registered users, the user information comprising medical information specific to the registered users</i>	LCKioskServer.exe	threadReceiver.h; threadReceiver.cpp
<i>receiving updates to the user information</i>	LCKioskClient.exe	wndMonitorISP.h;

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		wndMonitorISP.cpp
<i>generating update user information</i>	LCKioskServer.exe	threadReceiver.h; threadReceiver.cpp
<i>for each of the collection kiosks, receiving a request from the collection kiosk for the generated update user information</i>	LCKioskClient.exe	threadReceiver.cpp; threadReceiver.h
<i>sending to the requesting collection kiosk the update user information</i>	LCKioskServer.exe	threadReceiver.cpp; threadReceiver.h
<i>storing the update user information at the requesting collection kiosk for subsequent requests</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
<i>wherein the collection kiosks use the update user information to verify whether a user is registered</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

As demonstrated above, Bluth does not constitute prior art against claim 1, from which claims 3-5 depend. Further, the features of claims 3-5 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraphs 14-16 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code capable of carrying out the process of claim 1 wherein:

Claim 3	Module	File(s)
<i>the received update user information includes indications of whether to add a registered user, delete a registered user, or change information relating to a registered user</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 4	Module	File(s)
<i>a collection kiosk sends a request for the generated update user information once a day</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 5	Module	File(s)
<i>the user information includes a user</i>	LCKioskClient.exe	wndMonitorISP.h;

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<i>identifier and a password</i>		wndMonitorISP.cpp
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With regard to independent claim 6, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code capable of carrying out the following steps:

Claim 6	Module	File(s)
<i>providing user information for registered users, the user information comprising medical information specific to the registered users</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
<i>sending a request for updated user information</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
<i>in response to sending the request, receiving the updated user information; and updating the provided user information for the registered user in accordance with the received updated user information so that the collection kiosk can verify whether a user of the collection kiosk is registered</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
<i>storing the updated user information at the collection kiosk for subsequent requests</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

With regard to independent claim 7, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code for an information collection system comprising:

Claim 7	Module	File(s)
<i>a central computer system for a web site, the central computer system providing a repository for the information, registering users of the web site, and accessing the information</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
<i>a plurality of collection kiosks for collecting</i>	LCKioskClient.exe	wndMonitorISP.h;

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<i>information about users, for verifying whether a user is registered at the web site, and for sending the collected information to the central computer system when the user is registered</i>		wndMonitorISP.cpp
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As demonstrated above, Bluth does not constitute prior art against claim 7, from which claim 8 depends. Further, the additional features of claim 8 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraph 19 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code for an information collection assembly, wherein:

Claim 8	Module	File(s)
<i>the information is medical information</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

With regard to independent claim 9, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code for a computer-based method comprising the steps of:

Claim 9	Module	File(s)
<i>registering the users at the web site when information about a user is collected at one of a plurality of collection kiosks</i>	LCKioskServer.exe	threadReceiver.cpp; threadReceiver.h
<i>determining whether the user is registered at the website</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
<i>when registered, sending the collected information to a computer system so that the collected information is accessible to the user through the web site</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

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As demonstrated above, Bluth does not constitute prior art against independent claim 9, from which claims 10-13 depend. Further, the features of claims 10-13 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraphs 21-24 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession the computer code for carrying out the method of claim 9, wherein:

Claim 10	Module	File(s)
<i>a collection kiosk automatically sends a request for the generated update user information periodically</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 11	Module	File(s)
<i>said sending a request for updated information is automatic and performed periodically</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 12	Module	File(s)
<i>said sending a request for updated information is automatic and performed daily</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 13	Module	File(s)
<i>the information comprising medical information specific to the registered users</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
<i>the central computer system further is for receiving updates to the user information from the collection kiosks, generating update user information, and for each of the collection kiosks, receiving a request from the collection kiosk for the generated update user information and sending to the requesting collection kiosk the update user information</i>	LCKioskServer.exe	threadReceiver.cpp; threadReceiver.h

For the above reasons, it is respectfully submitted that Bluth does not constitute prior art against claims 1 and 13. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being anticipated by Bluth in view of U.S. Patent No. 5,826,267 to McMillan. Applicant respectfully traverses this rejection.

The Section 103 rejection also is premised on Bluth constituting prior art. Applicant respectfully submits that Bluth is not available as prior art under 102(e) or 103 because the presently claimed invention as set forth in claim 2 was conceived and reduced to practice prior to the April 14, 2000 filing date of Bluth. As demonstrated above, Bluth does not constitute prior art against claim 1, from which claim 2 depends. Further, the features of claim 2 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraph 13 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession the method of claim 1, wherein:

Claim 2	Module	File(s)
<i>the collection kiosks operate as FTP clients and the computer system operates as an FTP server</i>	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

For these reasons, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejection.

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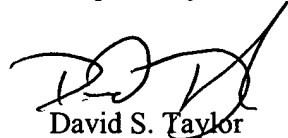
CONCLUSION

In view of the foregoing remarks, the present application is now believed to be in condition for allowance. The Examiner is asked to consider this response and pass the application to allowance.

Further and favorable consideration is requested.

Should the Examiner have any questions, she is requested to contact the undersigned.

Respectfully submitted,



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Date: October 27, 2005

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RECEIVED IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor: Roy Hays

Title: Method and System for Collecting Information at a Distributed Location

Patent Application No. 09/782,685

Enclosed:

Transmittal Form

Fee Transmittal Form

IDS letter

PTO Form 1449 with reference

Request for Extension of Time

Amendment and Request for Reconsideration

Declaration of Billy Hensley

Check for \$670.00 for fee

TPL/kar

SENT VIA COURIER – NOVEMBER 22, 2004

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